REMARKS

Favorable reconsideration of the application in view of the following remarks is respectfully requested. Claims 1, 5, 6, 11 and 12 are currently pending in the application. Claims 2-4 and 7-10 were previously cancelled. No claim has been amended as part of this response.

Claim Rejections - 35 U.S.C. § 102

Claims 1, 5, 6, 11 and 12 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Sakawaki et al (U.S. Patent No. 7,470,474, hereinafter "Sakawaki"). This rejection is traversed for at least the following reasons.

Claims 1, 6, and 12

Claims 1, 6, and 12 require, *inter alia*, a layer, on the ferromagnetic layer, having ***no*** granular structure and comprising a material selected from a group consisting of CoCrPt, CoPt, CoPd, FePt, $CoPt_3$, and $CoPd_3$.

Sakawaki

Sakawaki discloses a magnetic recording medium having a soft magnetic primary coat, an orientation-controlling layer, a perpendicularly magnetic layer, a protective layer and a lubricating coat formed sequentially in this order on a nonmagnetic substrate. *See* column 5, lines 44-54, of Sakawaki.

The perpendicularly magnetic layer of Sakawaki is composed of a magnetic layer (4a) having Co as a main component thereof, containing at least Pt as well and containing an oxide and a magnetic layer (4b) having Co as a main component thereof containing at least Cr as well and containing no oxide. *See* column 9, lines 13-21, of Sakawaki.

On pages 3-4 of the Office Action, the Examiner asserts that the magnetic layer (4b) of Sakawaki is the presently claimed layer, on the ferromagnetic layer, having ***no*** granular structure and comprising a material selected from a group consisting of CoCrPt, CoPt, CoPd, FePt, $CoPt_3$, and $CoPd_3$.

Applicants respectfully traverse the rejection and submit that Sakawaki does not disclose, teach or suggest a layer, on the ferromagnetic layer, having ***no*** granular structure and comprising a material selected from a group consisting of CoCrPt, CoPt, CoPd, FePt, $CoPt_3$, and $CoPd_3$.

Sakawaki discloses that the magnetic layer (4b) has magnetic grains, and that the magnetic grains of the magnetic layer (4b) has epitaxial growth. *See* column 11, lines 11-15, of Sakawaki. Like the magnetic layer (4a), the magnetic layer (4b) also has a granular structure. Further, Sakawaki does not mention anything about a layer, on the magnetic layer (4a), having ***no*** granular structure and comprising a material selected from a group consisting of CoCrPt, CoPt, CoPd, FePt, $CoPt_3$, and $CoPd_3$.

Claims 5 and 11

Claims 5 and 11 depend from claim 1, and claim 1 is patentable for the reasons discussed above. Thus, claims 5 and 11 are patentable at least by virtue of their dependency on claim 1.

Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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